

REMARKS

Claims 1-147 were previously cancelled without prejudice to or disclaimer of the underlying subject matter. Claims 151-157 were previously added. Claims 148-153 are currently amended to clarify antecedent basis. Claim 148 is also amended to correct an obvious typographical error. Support for this amendment can be found throughout the specification and claims as originally filed, for example at page 21, line 19 to page 22, line 2. No new matter enters by way of these amendments. With this Response, claims 148-157 are pending.

I. Rejection under 35 U.S.C. § 102(e), Anticipation

Claims 148-150 stand rejected under 35 U.S.C. 102(e) as allegedly anticipated by Hunter *et al.* (US 2002/0056118) (hereinafter "Hunter").

Regarding claim 148, the Examiner alleges that Hunter anticipates the following portion of claim 148:

Enabling the playback of the media content at a predetermined time after the receipt of the media content, wherein said playback is only enabled after a predetermined time after said recovery.

To support this allegation, the Examiner cites paragraph 13, lines 38-42 of Hunter as allegedly teaching "said playback is only enabled when get special discount on daily or weekly basis after media content is recorded." Office Action at page 3.

Applicants assert that paragraph 13, lines 38-42 of Hunter, does not teach "said playback is only enabled when get special discount on daily or weekly basis after media content is recorded." The cited portion of Hunter states:

The present invention also provides the ability to update movie pricing at any time, for example on a daily, weekly or monthly basis, so that consumers can choose to view movies at times when content providers offer pricing specials or incentives.

Hunter may discuss providing pricing so that consumers can choose to view movies at times when content providers offer pricing specials or incentives, but nowhere in the cited portion of Hunter does it teach enabling the playback only after content providers offer pricing

specials or incentives or any other predetermined time. In fact, by virtue of giving the customer the choice to view movies at times when content providers offer pricing specials or incentives, playback must be enabled prior to that time (or else there would be no choice). For at least these reasons, Applicants assert that Hunter is not prior art to claim 148 or any of the corresponding dependent claims.

In view of the above, each of the presently pending claims is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims, and to pass this application to issue. The Examiner is encouraged to contact the undersigned at (202) 942-6567 should any additional information be necessary for allowance.

Respectfully submitted,



Leslie L. Jacobs, Jr. (Reg. No. 40,659)
Danielle M. Edwards (Reg. No. 51,645)

Date: March 11, 2008

ARNOLD & PORTER LLP
555 12th Street, N.W.
Washington, D.C. 20004
(202) 942-5000 telephone
(202) 942-5999 facsimile